

Exhibit D

(Without Attachments)

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July 8, 2025

Via Email: rodneyolivermusic@gmail.com

Mr. Rodney David Oliver
11074 Oso Avenue
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Via Email: cooleyjoe011@gmail.com

Mr. Joe Cooley
248 E 157th Street
Gardena, CA 90248

Re: The Barry White Family Trust U/A/D: December 19, 1980, By its Duly
Empowered Trustees v. Cooley et al. Case No. 24-cv-07509-DLC

Gentlemen:

This letter will respond to your respective email correspondence to Judge Pitman and Mr. Victor Tran at JAMS, and to me directly, on July 2, 2025 and July 3, 2025. This letter will also address the status of the Plaintiffs' outstanding discovery requests and your continuing refusal to cooperate with our good faith efforts to resolve these issues.

We have already responded to Mr. Cooley's July 2, 2025 email to Mr. Tran at JAMS. A copy of our letter response dated July 3, 2025 is attached hereto as Exhibit A. While Mr. Cooley replied to this letter on July 3, 2025, he simply reiterated his previous position concerning the settlement agreement which he affirmatively chose not to sign.

Mr. Cooley verified that his decision not to settle meant that the claims against him were not going to be withdrawn, and that he would (in his own words) be in this case for the "long haul". Mr. Cooley has continued to make appearances in

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this action – requesting relief from the Court as recently as June 2, 2025 (Dkt. 107) which relief was denied by the Court on June 24, 2025 (Dkt. 118).

A. Plaintiffs' Outstanding Requests and Interrogatories

With respect to the Plaintiffs' outstanding First Request for the Production of Documents, served on May 16, 2025, you have failed and refused to provide any responses, either in writing or by the production of documents. With respect to the Plaintiffs' First Interrogatories, served on May 16, 2025, we particularized the multiple defects and omissions in your responses in writing to you both on June 25, 2025 ("Deficiency Letter"), a copy of which is attached hereto as Exhibit B. You failed to respond to that letter. We then wrote to you both on June 30, 2025, asking you to meet and confer with respect to the issues raised in the Deficiency Letter, a copy of which is attached hereto as Exhibit C. You failed to respond to that letter as well.

Then, on July 2, 2025, Mr. Oliver wrote and advised that he would not be providing any additional information in response to the Plaintiffs' First Interrogatories. Neither of you addressed your complete failure to respond to the Plaintiffs' First Requests for the Production of Documents. You did not respond otherwise to our request to meet and confer on these issues.

Your refusals to respond to discovery requests, produce documents and/or meet and confer in good faith are not just violations of Rule 26 of the Federal Rules of Civil Procedure and the Local Civil Rules of the Southern District of New York, but are also direct violations of the Court's clear and unambiguous Order dated April 25, 2025 (Dkt. 80), a copy of which is attached hereto as Exhibit D.

B. Defendants' Requests and Interrogatories

With respect to the issues that you have complained about regarding Plaintiffs' document production on June 13, and June 25, 2025, please be advised that responsive documents to your requests were produced and we have addressed the issues you raised in our letter to you dated June 23, 2025, a copy of which is attached hereto as Exhibit E, specifically identifying documents by bates number.

In that June 23rd letter, we – again – requested that the parties meet and confer with respect to whatever issues you have raised relating to the Plaintiffs' discovery responses. You have failed and refused to respond.

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We have now provided you with notice of the particularized deficiencies in your responses to Plaintiffs' First Interrogatories, and your complete failure to respond to Plaintiffs' First Requests for the Production of Documents or provide even one document in response. You have refused to meet and confer on that issue. You have also refused to meet and confer with respect to your own issues concerning discovery. We will so advise the Court.

This letter is written with a full reservation of our client's rights and remedies, all of which are hereby expressly reserved.

Very truly yours,

HERBSMAN HAFER WEBER
& FRISCH, LLP



Dorothy M. Weber, Esq.

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